

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

COMMANDER EMILY SHILLING, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, et al.,

Defendants.

No. 2:25-cv-241-BHS

NOTICE PURSUANT TO THE
COURT'S ORDER

The Court's March 4, 2025 Minute Order requires Defendants to notify Plaintiffs and the Court if the Department of Defense or its subsidiaries "issues any policy or guidance implementing the challenged Executive Orders in the military."

At this time, Defendants are aware of the following such documents (new item(s) in **bold**):

28 Jan 2025	Dep't of the Navy, Navy Recruiting Command, <i>Decision Guidance Memorandum #N00-30: Processing of Applicants Identifying as Transgender</i> . ¹
31 Jan 2025	Secretary of Defense, <i>Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government</i> . ²
04 Feb 2025	Dep't of the Air Force, Office of the Assistant Secretary, <i>Implementation of Executive Order 14168, Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government</i> . ³

¹ ECF No. 58-1

² ECF No. 58-2

³ See <https://www.af.mil/News/Article-Display/Article/4054626/daf-releases-memorandum-on-implementation-of-executive-order-14168-defending-wo/>

1	04 Feb 2025	Dep't of the Army, Office of the Assistant Secretary for Manpower and Reserve Affairs: <i>Implementing Guidance for Executive Order Defending Women</i> . ⁴
2		
3	07 Feb 2025	Secretary of Defense, <i>Prioritizing Military Excellence and Readiness</i> . ⁵
4	07 Feb 2025	Dep't of the Army, <i>Implementation of Executive Orders Related to Transgender Military Service</i> ("EXORD 150-25"). ⁶
5	14 Feb 2025	Dep't of the Army, Fragmentary Order ("FRAGO") 1, amending EXORD 150-25 (above). ⁷
6	26 Feb 2025	Office of the Under Secretary of Defense, <i>Additional Guidance on Prioritizing Military Excellence and Readiness</i> . ⁸
7	28 Feb 2025	Office of the Under Secretary of Defense, <i>Clarifying Guidance on Prioritizing Military Excellence and Readiness</i> . ⁹
8	01 Mar 2025	Dep't of the Air Force, Acting Assistant Sec'y for Manpower & Readiness, <i>Additional Guidance for Executive Order 14183, 'Prioritizing Military Excellence and Readiness</i> . ¹⁰
9		
10	04 Mar 2025	Office of the Undersecretary of Defense, <i>Clarifying Guidance on Prioritizing Military Excellence and Readiness: Retention and Accession Waivers</i> . ¹¹
11	06 Mar 2025	Sec'y of the Army, <i>Prioritizing Military Excellence and Readiness Implementation Guidance</i> . ¹²
12	07 Mar 2025	Dep't of the Army, <i>Implementing Guidance for Executive Order</i> (EXORD 175-25) (superseding EXORD 150-25, above). ¹³
13	13 Mar 2025	Sec'y of the Navy, <i>Initial Direction on Prioritizing Military Excellence and Readiness</i> . ¹⁴
14	13 Mar 2025	Chief of Naval Operations, <i>Initial Execution Related to Prioritizing Military Excellence and Readiness</i> (NAVADMIN 055/25). ¹⁵
15	14 Mar 2025	Commandant of the Marine Corps, <i>Initial Guidance on Prioritizing Military Excellence and Readiness</i> . (MARADMIN 128/25). ¹⁶
16		
17		
18		

⁴ ECF No. 58-3

⁵ ECF No. 58-4

⁶ ECF No. 58-5

⁷ ECF No. 58-6

⁸ ECF No. 58-7

⁹ ECF No. 58-8

¹⁰ ECF No. 58-9

¹¹ ECF No. 64-1.

¹² ECF No. 68-1.

¹³ ECF No. 68-2.

¹⁴ ECF No. 75-1.

¹⁵ ECF No. 79-1.

¹⁶ ECF No. 77-1.

21 Mar 2025	Office of the Undersecretary of Defense for Personnel & Readiness, <i>Prioritizing Military Excellence and Readiness: Military Department Identification.</i> ¹⁷
21 Mar 2025	Office of the Undersecretary of Defense for Personnel & Readiness, <i>Compliance with Federal Court Order in Talbott v. United States</i> , No. 25-cv-00240 (D.D.C.) ¹⁸
28 Mar 2025	Office of the Undersecretary of Defense for Personnel & Readiness, <i>Compliance with Federal Court Order in Shilling v. United States</i> , No. 25-cv-241 (W.D. Wash.) ¹⁹

DATE: March 28, 2025

Respectfully submitted,

YAAKOV M. ROTH
Acting Assistant Attorney General

ALEXANDER K. HAAS
Director, Federal Programs Branch

JEAN LIN
Special Litigation Counsel

/s/ John Robinson
JASON C. LYNCH
JOHN ROBINSON
ELIZABETH B. LAYENDECKER
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
Telephone: 202.616.8489
john.j.robinson@usdoj.gov

Attorneys for Defendants

¹⁷ ECF No. 92-1.

¹⁸ ECF NO. 94-1.

¹⁹ Exhibit 1.